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10 Attorneys for JOHN T. KENDALL,  
11 Trustee for Debtor QMECT, Inc.

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

QMECT, INC. aka Electrochem,  
Appellant,

Case No. 06-5401 WHA

v.

BURLINGAME CAPITAL PARTNERS II,  
L.P., and ELECTROCHEM FUNDING, LLC,  
Respondent..

ORDER VACATING BRIEFING  
SCHEDULE AND ADOPTING  
NEW BRIEFING SCHEDULE

20 BURLINGAME CAPITAL PARTNERS II,  
21 L.P., and ELECTROCHEM FUNDING, LLC,  
22 Appellant,

Related Cross-Appeal  
No. 06-5402 WHA

v.

23 QMECT, INC. aka Electorochem,  
24 Respondent.

**STIPULATION TO REVISE BRIEFING SCHEDULE  
AS A RESULT OF CONVERSION OF BANKRUPTCY CASE**

WHEREAS John T. Kendall was recently appointed as Chapter 7 trustee of the bankruptcy estate of QMECT, Inc., Case No. 04-41044, pending in the U.S. Bankruptcy Court, Northern District of California, Oakland Division (“Bankruptcy Case”), concurrent with the conversion of the Bankruptcy Case to Chapter 7 from Chapter 11 pursuant to an Order entered in the Bankruptcy Case on or about October 6, 2006; and

WHEREAS the parties to this appeal and related cross-appeal have agreed to postpone the briefing schedule for a short period in order to provide the Trustee and his counsel time in which to familiarize themselves with the instant matter; now therefore,

IT IS HEREBY STIPULATED by and between parties (i) John T. Kendall, Trustee (the “Trustee”); and (ii) Burlingame Capital Partners II, L.P., and Electrochem Funding, LLC, (collectively the “Lenders”), subject to this Court’s approval, that the briefing scheduled is revised as follows:

1. The dates set in the Notice of Briefing issued herein on October 19, 2006 (docket No. 10) are vacated;

2. The Trustee's opening brief is due December 15, 2006;

3. The Lenders' Opposing Brief and Opening Brief on Cross-Appeal is due on January 19, 2007:

4. The Trustee's Reply Brief and Opposition on Cross-Appeal is due on February 2, 2007; and

<sup>5</sup> The Lenders' Reply Brief on Cross-Appeal is due on February 16, 2007.

DATED: November 13, 2006.

## STROMSHEIM & ASSOCIATES

/s/ Joanne LaFreniere

1 DATED: November 13, 2006.

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5 ALLEN MATKINS LECK GAMBLE  
6 MALLORY & NATSIS, LLP  
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10 /s/ William W. Huckins  
11 WILLIAM W. HUCKINS  
12 Attorneys for Lenders  
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15 **ORDER**

16 Pursuant to the parties' stipulation, the Notice of Briefing issued October 19, 2006 is  
17 vacated, and the briefing schedule is set as set forth above.

18 DATED: November 15, 2006

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